IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

NOTICE OF MOTION NO.2793 OF 2004
IN
APPEAL NO. 78 OF 2004
IN
NOTICE OF MOTION NO.2866 OF 2003
IN
SUIT NO.3049 OF 2003

M/s.Ishwara Enclave Co-op.
Housing Society Ltd. .. Appellant

v/s.

M/s.Nikhileshwara Buildcon India
Ltd. & ors. .. Respondents

Mr.D.V.Merchant i/by Mr.S.Satpute & Cor. for appellant.

Mr.H.V.Kode for respondent Nos.1 and 2.

Mr.J.S. Chandnani for respondent No.3.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 1st November, 2004

P.C.

Heard.

2. By the order dated 22nd March, 2004, the Division Bench extended time by eight weeks for furnishing the solvent surety and made it clear that no further time will be extended. By this notice of motion further extension of eight weeks is sought by the original respondent Nos.1 and 2. The learned counsel for the original appellant opposes the prayer for extension of time by eight weeks but has no objection if time for furnishing the solvent surety is extended by 5th November,

2004. We accordingly grant time upto 5th November, 2004 to original respondent Nos.1 and 2 for furnishing the solvent surety to the satisfaction of the Prothonotary & Senior Master.

3. Notice of motion is disposed of.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)